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Lawrence S. Perry
Fitzpatrick, Cella, Harper & Scinto
30 Rockefeller Plaza
New York, NY 10112

In re Application of :
OHTA, et al. :
U.S. Application No.: 09/890,217 : COMMUNICATION
PCT No.: PCT/JP00/08391 :
Int. Filing Date: 29 November 2000 :
Priority Date: 29 November 1999 :
Attorney's Docket No.: 2139.24 :
For: METHOD OF ENHANCING SALTY TASTE, :
SALTY TASTE ENHANCER, SALTY TASTE :
SEASONING AGENT AND SALTY TASTE- :
ENHANCED FOODS :
:

This file is before the PCT Legal Office for issues arising under 35 U.S.C. 371.

BACKGROUND

On 29 November 2000, applicant filed international application PCT/JP00/08391, which claimed priority of an earlier application filed 29 November 1999. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 07 June 2001. A Demand for international preliminary examination, in which the United States was elected, was not filed prior to the expiration of nineteen months from the priority date. Accordingly, the twenty-month period for paying the basic national fee in the United States expired at midnight on 29 July 2001.

On 26 July 2001, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a translation of the International Application into English; an executed combined declaration and power of attorney; an Information Disclosure Statement; an assignment document for recording and a first preliminary amendment.

DISCUSSION

The declaration filed on 26 July 2001 does not comply with 37 CFR 1.497 (a)-(b). Specifically, the fourth listed inventor is listed and executed as "Aki MORITA" whereas the International Application lists the fourth inventor as "Aki NAKAGAWA." Applicant must provide either a declaration executed with the name which appears on the international application, "Aki NAKAGAWA" or in the alternative, a petition under 37 CFR 1.182 requesting that applicant's

name be changed to "Aki MORITA." In order to be granted, the petition under 37 CFR 1.182 must include an affidavit signed by inventor MORITA with both names setting forth the procedure whereby the change of name was effected, or a certified copy of the court order as well as the \$130.00 petition fee.

CONCLUSION

Applicant is given **TWO (2) MONTHS** from the mail date of this Communication to submit a proper response as discussed above.

Please direct further correspondence with respect to this matter to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, and address the contents of the letter to the attention of the International Division, Legal Staff.



Leonard Smith
Legal Examiner
PCT Legal Office



Derek A. Putonen
Petitions Attorney
PCT Legal Office
Tel: (703) 305-0130
Fax: (703) 308-6459